# virtue

## 1nc (this is not v good)

### 1nc long

#### **Moral evaluations are characterized by a split between the deontic and the aretaic. Deontic theories ascribe moral descriptions to actions, while aretaic theories ascribe moral descriptions to agents. The deontic can be deduced from the aretaic, but not vice versa—that means the aretaic is conceptually prior.**

Gryz ’11 (Jarek, Prof in the Department of Electrical Engineering and Computer Science at York University, “On the Relationship Between the Aretaic and the Deontic,” *Ethical Theory and Moral Practice*, 2011, 14:493–501, Springer) OS

The way we use words ‘good/bad’ and ‘right/wrong’ seems to support the above claims. Goodness and badness come in degrees, hence we have words like ‘better’ and ‘worse’; we lack similar terms for deontically evaluated actions. The availability of degree terms in the former case seems to indicate the presence of many criteria used in evaluation; an all-or- nothing choice, implied by the use of ‘right’ or ‘wrong’, suggests focusing on only one quantum quality.12 But fine-grainedness is not only a property of particular aretaic terms, the entire aretaic vocabulary is infinitely richer and allows us to draw much finer distinctions in act-evaluations than the deontic vocabulary. For example, by saying that something is praiseworthy we imply that it deserves approval or favor: we assess it higher when we say that it is admirable, since then it should be also respected and honored. The meaning of the word ‘praiseworthy’ can be quite well conveyed by saying, that it is something that ought to be done, or that it is the right (in Ross’s understanding of ‘right’) thing to do: yet expressing the word ‘admirable’ in deontic vocabulary seems just impossible. From what has been said so far one can derive an encouraging conclusion for the advocates of attractive ethics. Sheer richness and fine-grainedness of aretaic vocabulary seems to be a good reason for believing that all that can be said in deontic terms can be equally well expressed in aretaic terms. This is not to say, however, that we can produce a translation manual which would provide us with a general method of expressing deontic notions in terms of aretaic ones for all possible cases. In particular, it does not seem possible, as we hope to have shown, to substitute ‘good’ for ‘right’ or ‘deplorable’ for ‘wrong’. The relation between the aretaic and the deontic seems to be somewhat similar to the relation between the physical and the mental in the mind-body problem. We can claim that deontic is supervenient on the aretaic without committing ourselves to the idea of complete definitional reduction. In other words, we may allow for token identity (each particular action can have an aretaic description that perfectly matches the deontic one) and deny the possibility of type identity (that there is aretaic sentence true of all and only the actions having some deontic property). If this analogy is correct then the idea of definitional reduction of the deontic to the aretaic, and in particular, Stocker’s identification of rightness and goodness, is doomed. But we can still pursue a more modest goal. If our task is just to substitute every particular deontic evaluation with an aretaic one, there are no logical reasons that would make it impossible (it would not work, of course, in the opposite direction). From that perspective, attractive ethical theories seem to be much better off than the imperative ones.

#### This commits us to the task of determining the intrinsic qualities of a good actor. However, we cannot do so purely through academic reflection. Ethical knowledge must be derived from something that is itself intrinsically ethical in quality, because a) the search for ethical truth itself presupposes forms of ethical values, i.e. the value of good scholarship, honesty, etc., and b) explanatory accounts result in descriptive and not prescriptive claims about the world, since they merely explain the way things are.

#### The result is a virtue paradigm: ethics is a developmental social phenomenon that is established via inculcation. This does not presuppose descriptive normative claims.

Reader 2k (Reader, Soren. [Late Professor of Philosophy, Durham University] “New Directions in Ethics: Naturalism, Reasons, and Virtue.” Ethical Theory and Moral Practice, Vol. 3, No. 4, Dec. 2000.)

Virtue is a free disposition to act in certain ways under certain conditions. Virtue ethics claims that what is to count as a good action or what is a good outcome is conceptually dependent on claims about the virtue of an agent. How is this dependence supposed to work? Where those after an explanatory account seek a conceptual connection with something like a normative 'in itself,’ virtue ethicists instead explore the concrete dependence of moral activity on the possibility of learning from already virtuous agents. They hold that the key to moral rationality is found in moral education. Ethics begins with the apprentice moral agent: the child, or the foreigner, or the damaged person in rehabilitation are all examples. These beginner-agents learn from the experienced, wise moral agent by copying, by mimicking in their actions the actions of the virtuous agent. This mimicking, or 'going on in the same way', does not presuppose that the learner agent acquires any representations of how the world is (i.e., beliefs), nor that they acquire the ability to report on or provide justifications for what they do. Virtue is learned by cottoning on to virtuous ways of doing things, going on to do the same, then going on to do the same in new ways, once they have mastered the skill.16 The way virtue and character is supposed to be basic here is simply displayed in the analogy: there is and can be nothing 'behind' the expertise of the phronimos which can explain or justify it (any more than there is anything 'behind' the expertise of the doctor or the navigator, to use Aristotle's examples at NE 1104b7-l 1). Of course, plenty more can be said about it, and shortcuts can be found to aid the learning of those who have already mastered other skills (so competent rule-fol lowers can learn from being given rules, just as competent grammarians can learn a new language from the grammar). But we should not confuse what it is possible to say about the skill of being moral, with what constitutes it.

#### **Next, virtues are characteristics and habits that assist agents in fulfilling their purposes.** For the state, that means inculcating civic virtues—the perfection of the state requires civic virtue.

Aristotle 50 [Aristotle, man who wrote extensively about bees, 350 BCE, “Politics”, <http://classics.mit.edu/Aristotle/politics.3.three.html>] AG bracketed for gender

There is a point nearly allied to the preceding: Whether the virtue of a good man and a good citizen is the same or not. But, before entering on this discussion, we must certainly first obtain some general notion of the virtue of the citizen. Like the sailor, the citizen is a member of a community. Now, sailors have different functions, for one of them is a rower, another a pilot, and a third a look-out man, a fourth is described by some similar term; and while the precise definition of each individual's virtue applies exclusively to him [them], there is, at the same time, a common definition applicable to them all. For they have all of them a common object, which is safety in navigation. Similarly, one citizen differs from another, but the salvation of the community is the common business of them all. This community is the constitution; the virtue of the citizen must therefore be relative to the constitution of which he is a member. If, then, there are many forms of government, it is evident that there is not one single virtue of the good citizen which is perfect virtue. But we say that the good [person] man is he who has one single virtue which is perfect virtue. Hence it is evident that the good citizen need not of necessity possess the virtue which makes a good [person] man. The same question may also be approached by another road, from a consideration of the best constitution. If the state cannot be entirely composed of good men, and yet each citizen is expected to do his own business well, and must therefore have virtue, still inasmuch as all the citizens cannot be alike, the virtue of the citizen and of the good [person]man cannot coincide. All must have the virtue of the good citizen- thus, and thus only, can the state be perfect; but they will not have the virtue of a good man, unless we assume that in the good state all the citizens must be good. Again, the state, as composed of unlikes, may be compared to the living being: as the first elements into which a living being is resolved are soul and body, as soul is made up of rational principle and appetite, the family of husband and wife, property of master and slave, so of all these, as well as other dissimilar elements, the state is composed; and, therefore, the virtue of all the citizens cannot possibly be the same, any more than the excellence of the leader of a chorus is the same as that of the performer who stands by his side. I have said enough to show why the two kinds of virtue cannot be absolutely and always the same.

#### **The actor is the state—public colleges and universities are founded and operated by the state.**

Collegebound writes “Differences Between Public and Private Universities and Liberal Arts Colleges” http://www.collegebound.net/content/article/differences-between-public-and-private-universities-and-liberal-arts-colleges/18529/

In the US, most public institutions are state universities founded and operated by state governments. Every state has at least one public university. This is partially due to the 1862 Morrill Land-Grant Acts, which gave each eligible state 30,000 acres of federal land to sell to finance public institutions offering study for practical fields in addition to the liberal arts. Many public universities began as teacher training schools and eventually were expanded into comprehensive universities.

#### Thus, the standard is promoting civic virtue.

#### Contention:

#### Universities can restrict certain types of speech to facilitate the learning of civic virtues.

Byrne 91 [J. Peter Byrne, Georgetown University Law, 1991, “Racial Insults and Free Speech Within the University”, The Georgetown Law Journal, <http://scholarship.law.georgetown.edu/cgi/viewcontent.cgi?article=2592&context=facpub>] AG

The university's relationship to the speech of its members is fundamentally different from the state's. The university has a corporate reverence for speech as the embodiment of, and stimulus to, thinking and knowledge.84 Implicit in the university's core function is the regulation of expression to enhance its quality. Membership in the academic community is restricted to those who possess the talent and training to teach or learn at a high level. The academic speech of the teachers and the students is subject to disciplinary norms deemed to facilitate criticism and discourse; those who do not meet the standards of speech set by the university are subject to penalties students through grades and faculty through the denial of promotion or tenure. These restrictions exist because academics traditionally believe that the ends of scholarship and teaching are advanced by adherence to collective criteria. Thus, the fact that universities function through speech and the criticism of ideas does not mean that speech ought to be under less restriction there than in society as a whole; on the contrary, both scholarship and learning necessarily involve the discipline of speech to improve it.85 Confusion about the nature of free speech in universities stems in part from a tradition of viewing the university, the corporate entity distinct from students, faculty, and administrators, as properly neutral about the speech of its members.86 This view of the university played a large role in the arguments advanced for academic freedom by professors earlier in this century.8 7 These pioneers sought to protect themselves from Christian or capitalist biases held by trustees and administrators that could constrain the development of scientific or objective knowledge; accordingly, they sought to devolve evaluation of the acceptability of a professor's views or methods from lay trustees to academically recognized experts in the speaker's field. 88 While the different facets of the academic community may have concerns about who speaks for the university or what political coloration the institution adopts, never has it been accepted that the university should be indifferent about the value of teaching and learning. The university's commitment to teaching and learning of a certain kind represents ideological attachments from which no member of the academic community ought to back away. These commitments give focus and value to the academic enterprise. The university as speech monitor thus is quite different from the state. The university pursues normative goals of speech, such as clarity, rigor, responsiveness, and balance, whereas the state must be neutral about both the ends and the means of speech. When the university proscribes a manner of speech, it is more likely that the step is taken to further valid goals of education or scholarship rather than to maintain favor with the majority who may dismiss the censor.89 The role of the university as speech monitor seems tolerably well established within the domains of curricular instruction and scholarship. The academic justification for university regulation of speech beyond the curriculum has been insufficiently studied.

#### That outweighs—college students are still developing agency.

Posner 15 [Eric Posner, professor at the University of Chicago Law School, 2-12-2015, "Colleges Need Speech Codes Because Their Students Are Still Children," Slate Magazine, <http://www.slate.com/articles/news_and_politics/view_from_chicago/2015/02/university_speech_codes_students_are_children_who_must_be_protected.html>] AG

And this brings me to the most important overlooked fact about speech and sex code debates. Society seems to be moving the age of majority from 18 to 21 or 22. We are increasingly treating college-age students as quasi-children who need protection from some of life’s harsh realities while they complete the larval stage of their lives. Many critics of these codes discern this transformation but misinterpret it. They complain that universities are treating adults like children. The problem is that universities have been treating children like adults. A lot of the controversies about campus life become clearer from this perspective. Youngsters do dumb things. They suffer from lack of impulse control. They fail to say no to a sexual encounter they do not want, or they misinterpret a no as yes, or in public debate they undermine their own arguments by being needlessly offensive. Scientific research confirms that brain development continues well into a person’s 20s. High schools are accustomed to dealing with the cognitive limitations of their charges. They see their mission as advancing the autonomy of students rather than assuming that it is already in place. They socialize as well as educate children to act civilly by punishing them if they don’t. Universities have gradually realized that they must take the same approach to college students.

### 1nc short

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## f/ls

### at: hate promotes virtue

#### Hate speech promoting virtue in the victim doesn’t justify total freedom of speech—three warrants.

Brown 15 [Alex Brown, (Senior Lecturer, School of Politics, Philosophy, Language and Communication Studies at U of East Anglia), 3-5-2015, “Hate Speech Law: A Philosophical Examination”] AG brackets for grammar

What these thinkers would prefer, it seems, is for targets of hate speech to be left to get on with the job of dealing with abuse on their own. However, Delgado and David H. Yun resist this sort of ‘toughlove’ argument on two grounds: first, there is an element of virtuous personal responsibility in choosing whether or not to bring a complaint or file a lawsuit and, second, the people who press this argument would not seriously propose that individuals deal with theft of their property on their own, even though the levels of harm are equally serious (Delgado and Yun 1994:1819). From the perspective of virtue jurisprudence, I would add that if a university authority or a municipal government does decide to enact and enforce campus speech codes that constrain uses of hate speech, for example, then this would not necessarily be problematic if it could be shown to be a good-faith attempt to act in accordance with the Principle of Human Excellence. Thus, an impartial, wise, and judicious university dean might conclude that since uses of hate speech that constitute acts of discriminatory harassment always realize[s] unwanted human vices but elicit[s] the virtues of stoicism and rugged individualism only to some extent and only some of the time, then it may indeed be appropriate to introduce and enforce campus speech codes.

## fw

### rule following paradox

#### Rule-following paradox—rules are indeterminate absent communal interpretation, which means a) ethics can’t be rule-based, and b) theories divorced from social development fail.

McGinnis ’06 (Nicholas McGinnis 6 PhD, successfully defended his dissertation, On Philosophical Intuitions, at the University of Western Ontario in the Spring of 2015 under the supervision of Dr. Robert Stainton. He was born in Montreal, Canada and attended Concordia University where he completed both his B.A. (honours) and M.A. in philosophy. He is a member of the Rotman Institute of Science and Values. His work focuses on philosophy of language, experimental philosophy, metaphysics, and non-classical logic, “Wittgenstein's Influence on the Development of Virtue Ethics”, A Thesis In The Department of Philosophy Presented in Partial Fulfillment of the Requirements for the Degree of Master of Arts in Philosophy at Concordia University Montreal, Quebec, Canada, August 2006) OS

McDowell begins with Wittgenstein's example at §185 of PI (though, for Wittgenstein, this was a return to a similar thought-experiment at §143), where a pupil is asked to extend a series (through an order which has the form +n, in this case +2), so as to produce 2, 4, 6, 8, etc. McDowell comments that we have a tendency to view iterations of this task as a type of psychological mechanism, analogous to the movement of some otherwise inert physical object being guided by an underlying structure—the common metaphor is that of rails—necessarily towards the correct answer (McDowell 1998: 58).34 This view is, McDowell notes, rather suspect. The first problem is that any rule-following behaviour or statement of understanding a rule ("I am doing this")— such as that of adding 2—is in a sense underdetermined: the potential behaviour that comes under the jurisdiction of rule is infinite (in this case we have the set of natural numbers) while at any given time we've seen, or followed ourselves, only a finite fraction of these possible cases. What evidence we have for the picture of rule-following as a set of 'rails' cannot dismiss the possibility that in the future behaviour will "diverge from what we could count as correct" (ibid., 59). Wittgenstein's example of this, also used by McDowell, is a person who continues the +2 series after reaching 1000 thusly: 1004, 1008, 1012... and does not understand that he has made a mistake, believing that he was applying the rule correctly. At this point, as Wittgenstein notes, it is no use to merely say: "But can't you see?" (cf. PI §185)—for he sees differently: a rabbit instead of a duck, as with the old optical illusion. Perhaps he believed that to correctly apply the rule, he was to "add 2 up to 1000, 4 up to 2000, 6 up to 3000, and so on", and does not admit or understand that there was a mistake (ibid., 59). The constant possibility of such behaviour runs against the supposition that to follow a rule is to be guided by these inexorable 'rails'. Concludes McDowell: "The pictured state, then, always transcends the grounds on which it is allegedly postulated" (ibid., 59). The point of these considerations is not a sceptical one, as is sometimes argued, nor to undermine confidence in our speech acts; rather it is only to remove an illusory ground we sometimes ascribe to meaning, a picture in which "the steps are really already taken, even before I take them in writing or orally or in thought" (ibid., 59). The connection between the objection sketched by McDowell earlier on and Wittgenstein's argument is clear. The 'major premise', formulated as a single universal principle, is meant to anticipate all cases of application, "as only the act of meaning can anticipate reality" (PI §188). It is precisely because of this attributed ability that it can serve as major premise, much like an algebraic formula is thought to be able to. The minor premise of the syllogism consists of the specific integers in play, which leads us, so the picture goes, necessarily to a specific conclusion, determined by the formula. Likewise, a "complete specification of the reason why the virtuous person acts as he does" is required as major premise, as mere perceptual sensitivity is insufficient to provide reasons for action (ibid., 54); recall McDowell's formulation of the objection— that both the virtuous and non-virtuous may share the same perception but fail to act in corresponding ways, showing virtue forms a composite state. The 'deliverances of sensitivity' (the 'integers'), to use McDowell's phrase, interact with something else—the universal principle and one's own volition (the 'formula'), to produce determinate answers. But this conception strikes McDowell as 'implausible', for cases would inevitably turn up in which a mechanical application of the rules would strike one as wrong—and not necessarily because one had changed one's mind; rather, one's mind on the matter was not susceptible of capture in any universal formula (ibid., 58). Wittgenstein's rule-following 'argument'—I use the term with some trepidation, for it would be somewhat of a mischaracterization to see it as a pure example of premise / conclusion philosophical dialectic—serves to dispel the notion that to act rationally is to follow the dictates of some externally-determined universal formula, and also the correlated notion that error consists in something analogous to mechanical breakdown. Consider the algebraic example. Are the steps to be taken for a series in some way 'determined'? For Wittgenstein, such a statement is perhaps referring to the fact that people are brought by their education (training) so to use the formula y = x², that they all work out the same value for y when they substitute the same number for x. [...] It may now be said: "The way the formula is meant determines which steps are taken." What is the criterion for the way the formula is meant? It is, for example, the kind of way we always use it, the way we are taught to use it. (PI §189; §190). When someone's behaviour diverges from what we would think counts as the correct answer in a given series, and does not 'see' the mistake at all, we lose the picture of rules as determining meaning in all possible application and cases. Grasping meaning is instead a function of being taught proper application of symbols. Yet for all this we do not lose confidence in our assertions or practices. Instead we see that it is largely spurious to make certain sorts of particularly stringent epistemological demands: that understanding a rule consists in letting one's mind be guided by some objectively present, mind-independent structure (such as Platonism concerning mathematics). McDowell's stressing of Wittgensteinian 'uncodifiability' connects with several of the critical aspects of virtue ethics explored in the last chapter. The point of the 'rulefollowing' argument was that what counts as rational or consistent behaviour is not wholly determined by external facts which the mind somehow grasps via abstract contemplation; this is the vanity of previous moral theories which most authors of virtue ethics attack, though they focus on different targets, after different fashions. Anscombe's criticism of Kant, recall, explicitly made use of uncodifiability: "no theoretically adequate provision can be made for exceptional circumstances," she writes, rendering it impossible to construct the appropriate type of stipulation necessary to govern descriptions of actions (Anscombe 1999: 27; 29). This is akin to McDowell's presentation of Wittgenstein; in both, there lurks the realization that concept-application is not governed by the picture of 'rails'. The relevant description of, say, a lie—Anscombe's example35 — is not something which can be adequately captured in what McDowell terms a 'universal formula', for considerations identical to those of the +2 series, as are the consequences. Speaking of the objection's equal application to utilitarianism: "any action can be so described as to make it fall under a variety of principles of utility (as I shall say for short) if it fall under any" (ibid., 28). The general nature of the problem under Anscombe's consideration here is so similar to Wittgenstein it even seems strange she would not quote him or bring the connection out. Perhaps the connection was taken to be entirely self-evident. Another link between the rule-following argument and the critiques of virtue ethics is the argument that 'pleasure', or any other good, is a heterogeneous, polycentric concept (an argument we presented through Nussbaum's writings on the topic). The opposite view is that of pleasure as a unitary and measurable object; but as the rule-following argument applies across the board, it is clear that what counts as pleasure can no more be determined from 'outside' than what counts as a lie, or what counts as following the +2 rule. The attraction to a certain species of moral theory lies precisely in the claim that we can define what 'pleasure' is, or 'lies' are, in a peculiarly binding and inexorable way, so as to 'solve' problems with no rational dissent possible from the one answer determined by the formula. If we find Wittgenstein's rule-following argument convincing, however, we should not view such projects as likely to succeed: for it seems rather unlikely, if not downright impossible, that the definitions upon which the projects ride will be found— that they are indeed such things as can be 'found'. Yet despite these rather difficult conclusions there is no reason to embrace scepticism or lose confidence in the grounds of our assertions. Where does our confidence come from, if not from determinate rules and principles, lying outside of us, as it were? According to McDowell—approvingly quoting Stanley Cavell—nothing but our 'shared forms of life', a 'whirl of organism' that consists of common discursive practices, 'routes of interest' and patterns of recognized similarity: a 'congruence of subjectivities' (McDowell 1998: 60-61). We may choose to explain the correct extension of a number series in syllogistic terms, but this should not lead us to the conclusion that the operation moves independently of our forms of life. Writes Wittgenstein about the tendency towards this sort of conclusion, "It is as if we could grasp the whole use of the word in a flash." Like what e.g.? ... But have you a model for this? No. It is just that this expression suggests itself to us. As the result of the crossing of different pictures [...] You have no model of this superlative fact, but you are seduced into using a super-expression. (PI §193). This 'flash' of insight is the seductive illusion that we mount ourselves on some external rails when we grasp the use of a rule, such as 'add 2', because we have the sensation that, despite the underdetermined nature of the picture, we see application of algebra or words into infinity. This 'strange' sensation leads us to postulate the superlative picture. Writes Wittgenstein, But there is nothing astonishing, nothing queer, about what happens. It becomes queer when we are led to think that the future development must in some way already be present in the act of grasping the use and yet isn't present. [...] Where is the connexion effected between the sense of the expression 'Let's play a game of chess' and all the rules of the game?—Well, in the list of rules of the game, in the teaching of it, in the day-to-day practice of playing. ( PI §197). The ability to project use into indefinite future context turns therefore not on some mysterious underlying mechanism churning out 'appropriate' answers, but rather on the taught practices of linguistic communities and creative decisions made within them.36 Hence the thought that calculations within the deductive paradigm ought to be 'automatically compelling' somehow above and beyond forms of life is a method of avoiding Wittgenstein's difficult conclusions about the grounds of our rationality. For McDowell, the correct standpoint, or 'cure' to this (no doubt following Wittgenstein's notion of 'therapy'), instead is to give up the idea that philosophical thought, about the sorts of practice in question, should be undertaken at some external standpoint, outside our immersion in our familiar forms of life. (McDowell 1998: 63) This is the path to the Neurathian solution advocated by Hursthouse, as we saw in the last chapter. It may seem at first glance that Hursthouse's use of eudaimonia as a naturalistic ground for her brand of virtue ethics runs counter to the line of argument presented here, in that explicit reference to human flourishing may serve as major premise in a syllogism of the form criticized by McDowell here. But Hursthouse never intends, and indeed explicitly denies, that her naturalism is meant to be convincing outside of an acquired ethical outlook, i.e. a form of life (Hursthouse 1999: 166). Such a move will seem utterly unconvincing without the background assumed by appreciation of the rather deep implications of the rule-following argument, which includes McDowell's 'cure' for the seduction by the deductive paradigm; paradigm which, as McDowell concludes his interpretation of Wittgenstein, is a deeply unsatisfactory model even standing by itself: Pupils do acquire a capacity to go on, without further advice, to novel instances. Impressed by the sparseness of the teaching, we find this remarkable. But assimilation to the deductive paradigm leaves it no less remarkable. The assimilation replaces the question "How is it that the pupil, given that sparse instruction, goes on to new instances in the right away?" with the question "How is it that the pupil, given that sparse instruction, divines from it a universal formula with the right deductive powers?". The second question is, if anything, less tractable. (McDowell 1998: 64) The first question is quite tractable, by contrast. The boundary conditions created by both human nature and shared forms of life provide sufficient explanatory content to explain extension to novel circumstance; whereas it is difficult to see how a pupil can make the 'leap of divination' McDowell views as necessary to answer the second.37 Furthermore, this is not to suggest that there are unbridgeable chasms created by forms of life or that one cannot be brought to 'see' things correctly if they have grasped usage differently. But these are topics to be addressed in the next chapter. For now, I have argued that virtue ethics—of which I chose Hursthouse's version as an exemplar—crucially depends on this interpretation of Wittgenstein's rule-following argument and the consequences drawn from it.

### at: sv

#### 1. Aretaic first—structural violence doesn’t answer the question of character but merely one of particular actions

#### 2. Begs the question of what oppression/structural violence/etc. actually is and specifically how we fight it—only my framework contextualizes this since it provides an account of positive habits—obviously oppression is bad but you need a specific method—my framework is also not ideal since it’s grounded in social conditions, meaning it provides the perfect middle ground

#### 3. Impossible to weigh between oppression impacts if it’s not contextualized in the context of util/deont etc. since we don’t know what types or instances of oppression are worse under their standard

### at: deont

#### 1. Aretaic first—deont doesn’t answer the question of character but merely one of particular actions

#### **2. Tailoring objection—I can tailor my maxims to become specific enough to be universal. For example, I can will the maxim of lying in a specific circumstance only, as when universalized that would not create a contradiction in willing since not everyone would lie constantly.**

#### 3. No a priori reason—humans are tainted with cognitive biases—that’s why we need virtues to cultivate better character and work towards living a more rational *life*

#### 4. No rules could be known to be applied in a given situation – for example any action could accord with the categorical imperative because you might deem yourself the exception and all previous applications were in the schmategorical imperative. Only publically grounded rules are meaningful.

#### 5. We cannot understand the concept of human freedom except within a paradigm of human flourishing.

Keller (Tim Keller. The Reason for God: Belief in an Age of Skepticism. Penguin Group USA. 2008)

Christianity is supposedly a limit to personal growth and potential because it constrains our freedom to choose our own beliefs and practices. Immanuel Kant defined an enlightened human being as one who trusts in his or her own power of thinking, rather than in authority or tradition.27 This resistance to authority in moral matters is now a deep current in our culture. Freedom to determine our own moral standards is considered a necessity for being fully human. This oversimplifies, however. Freedom cannot be defined in strictly negative terms, as the absence of confinement and constraint. In fact, in many cases, confinement and constraint is actually a means to liberation. If you have musical aptitude, you may give yourself to practice, practice, practice the piano for years. This is a restriction, a limit on your freedom. There are many other things you won’t be able to do with the time you invest in practicing. If you have the talent, however, the discipline and limitation will unleash your ability that would otherwise go untapped. What have you done? You’ve deliberately lost your freedom to engage in some things in order to release yourself to a richer kind of freedom to accomplish other things. This does not mean that restriction, discipline, and constraint are intrinsically, automatically liberating. For example, a five-foot-four, 125-pound young adult male should not set his heart on becoming an NFL lineman. All the discipline and effort in the world will only frustrate and crush him (literally). He is banging his head against a physical reality—he simply does not have the potential. In our society many people have worked extremely hard to pursue careers that pay well rather than fit their talents and interests. Such careers are straitjackets that in the long run stifle and dehumanize us. Disciplines and constraints, then, liberate us only when they fit with the reality of our nature and capacities. A fish, because it absorbs oxygen from water rather than air, is only free if it is restricted and limited to water. If we put it out on the grass, its freedom to move and even live is not enhanced, but destroyed. The fish dies if we do not honor the reality of its nature. In many areas of life, freedom is not so much the absence of restrictions as finding the right ones, the liberating restrictions. Those that fit with the reality of our nature and the world produce greater power and scope for our abilities and a deeper joy and fulfillment. Experimentation, risk, and making mistakes bring growth only if, over time, they show us our limits as well as our abilities. If we only grow intellectually, vocationally, and physically through judicious constraints—why would it not also be true for spiritual and moral growth? Instead of insisting on freedom to create spiritual reality, shouldn’t we be seeking to discover it and disciplining ourselves to live according to it? The popular concept—that we should each determine our own morality—is based on the belief that the spiritual realm is nothing at all like the rest of the world. Does anyone really believe that? For many years after each of the morning and evening Sunday services I remained in the auditorium for another hour to field questions.

### at: util

#### 1. Aretaic first—deont doesn’t answer the question of character but merely one of particular actions

#### 2. Util calc is impossible—consequences span infinitely far into the future, meaning it’s impossible to figure out whether any action is net good or bad.

#### 3. Aggregation fails—two headaches don’t equal a migraine—different instances of pain and pleasure are not just quantitatively but also *qualitatively* different

#### 4. Act-omission distinction—util leads to infinite obligations because we are constantly responsible for omissions. That means we are always fulfilling an infinitely small percent of all our obligations, so it’s impossible to be moral.

#### 5. Happiness may be preferable. However, objects and conditions that bring us happiness cannot hold value in themselves, because their goodness is conditional. Only virtues that contribute to a content life can possess intrinsic value.

Baltzly (Dirk Baltzly. Stoicism. Stanford Encyclopedia of Philosophy. <http://plato.stanford.edu/entries/stoicism/#Eth>. First published Mon Apr 15, 1996; substantive revision Fri Dec 6, 2013)

The best way into the thicket of Stoic ethics is through the question of what is good, for all parties agree that possession of what is genuinely good secures a person's happiness. The Stoics claim that whatever is good must benefit its possessor under all circumstances. But there are situations in which it is not to my benefit to be healthy or wealthy. (We may imagine that if I had money I would spend it on heroin which would not benefit me.) Thus, things like money are simply not good, in spite of how nearly everyone speaks, and the Stoics call them ‘indifferents’ (Diog. Laert., 58A)—i.e., neither good nor bad. The only things that are good are the characteristic excellences or virtues of human beings (or of human minds): prudence or wisdom, justice, courage and moderation, and other related qualities. These are the first two of the ‘Stoic paradoxes’ discussed by Cicero in his short work of that title: that only what is noble or fine or morally good (kalon) is good at all, and that the possession (and exercise) **of the virtues is both necessary and sufficient for happiness**. But the Stoics are not such lovers of paradox that they are willing to say that my preference for wealth over poverty in most circumstances is utterly groundless. They draw a distinction between what is good and things which have value (axia). Some indifferent things, like health or wealth, have value and therefore are to be preferred, even if they are not good, because they are typically appropriate, fitting or suitable (oikeion) for us.

#### 6. Framing: we both agree happiness is important—the question becomes merely how to apply such a principle to ethics, so if I win theories should be aretaic and not deontic then I win the framework debate

#### 7. Turns util—if no one is virtuous then they can’t flourish, meaning there would be no value to life

## k

### Decent and Short

#### Virtue ethics’ moral holism can provide a descriptive and normative assessment of oppression

Smith 15 (Trevor W., A.A., B.A., M.A., Virtue, Oppression, and Resistance Struggles, Marquette University Dissertation, epublications.marquette.edu/cgi/viewcontent.cgi?article=1562&context=dissertations\_mu)

Following in the vein of these defenses of virtue (and therein the critiques made of other forms of moral theories), this project utilizes **the comprehensive framework of virtue ethics as a valuable tool for the evaluation of oppression,** and the benefit of such an approach is a natural extension of these general arguments. **Oppression**, as it will be shown, **is an extremely complex social phenomenon and exerts its harmful influence on the oppressed in a vast array of ways, and** virtue ethics’ moral holism is especially apt at being able to not only descriptively account for the affected aspects of life but also provide a normative assessment of these effects.

### Good and Medium

#### Virtue ethics helps explain why oppression is so bad, tracing all of its devastating effects

Smith 15 (Trevor W., A.A., B.A., M.A., Virtue, Oppression, and Resistance Struggles, Marquette University Dissertation, epublications.marquette.edu/cgi/viewcontent.cgi?article=1562&context=dissertations\_mu)

The harms presented here, which are done as a way of **substantiating oppression's** damning **influence**, furthers scholarship on the (im)morality of oppression in two important ways. First, they descriptively present an analysis of oppression's influence **from within the virtue ethics tradition.** The normative framework of virtue ethics requires a uniquely virtue based account of oppression's harm and this chapter has sought to **provide** this **detailed analysis**. Secondly, **the harms** presented here, **as understood by virtue ethics, take a large and broad look at the human life. The framework of virtue ethics attempts to encompass and engage in all aspects of human life treating human** 99 **flourishing as the result of a complete life. Connecting the harmful effects of oppression via virtue ethics uses this encompassing framework to trace the harmful effects of oppression to our desires, our emotions, our choices, our habits, our interactions with others, and our political existence as social beings. Virtue ethics**, and the account of oppression given here, **attempts to meet these ethical demands in the wide and varied arenas in which the ethical life is lived and developed. The resulting picture of oppression and its harms demonstrates the extent and depth of oppression's devastating effects on the oppressed**.

## misc

### civic virtue

#### For states, that entails creating the conditions necessary for human virtue, namely the inculcation of civic virtues

Smith 12 [George H. Smith; formerly Senior Research Fellow for the Institute for Humane Studies, a lecturer on American History for Cato Summer Seminars, and Executive Editor of Knowledge Products; 2-28-2012; “The Roots of State Education Part 3: Aristotle and Civic Virtue”; Libertarianism.org; <https://www.libertarianism.org/publications/essays/excursions/roots-state-education-part-3-aristotle-civic-virtue>] AG bracketed for gender

Aristotle explicitly repudiated the notion of limited government that was defended by some of his contemporaries. He quoted the sophist Lycophron as saying that a government exists “for the sake of alliance and security from injustice” and that laws should serve as “a surety to one another of justice.” Aristotle disagreed. Rather than confine itself to this negative function — the enforcement of justice — the state should actively promote the good life. In order to promote the good life and maintain social order, the state should inculcate civic virtue. Those “who care for good government take into consideration virtue and vice in states. Whence it may be further inferred that virtue must be the care of the state which is truly so called.” This concern with civic virtue was the basis for Aristotle’s plan of a comprehensive system of state education, one explicitly based on the Spartan model. Like Plato, Aristotle did not distinguish between the voluntary sphere of society and the coercive sphere of the state (or city-state, in their case). Consequently, individual freedom was not important enough for Aristotle even to consider when recommending laws. As a philosopher who believed he knew what is needed for a good society, Aristotle argued that laws should be concerned with producing “the healthiest possible bodies in the nurseries of the state.” The age of marriage for women should be around eighteen; for men, thirty-seven. Marriages should take place during winter, and married couples must “render service to the state by bringing children into the world.” Pregnant women should engage in moderate exercise by being required to make daily pilgrimages to a religious shrine. According to Aristotle, “There should certainly be a law to prevent the rearing of deformed children,” but infanticide should be against the law when used merely as a method of population control. Instead, laws should limit the size of the family. When this limit is exceeded the pregnant woman should be compelled to abort by inducing a miscarriage (provided “sense and life” have not yet begun in the embryo). The physical health of children should be closely supervised. They should be habituated from an early age to endure cold weather; this will further their health and harden them “in advance for military service.” Superintendents of education should determine appropriate stories and games, which should be neither laborious nor effeminate. In short, “The superintendents of education must exercise a general control over the way in which children pass their time.” The legislator must also prohibit corrupting influences. The use of bad language should be proscribed “everywhere in our state,” and those who speak or act indecently “must be punished accordingly.” (Younger violators should be subjected to physical punishment, whereas older violators should “undergo indignities of a degrading character.”) And by the same logic, indecent pictures, paintings, statues, and plays should also be prohibited. The list goes on and on. So far there seems to be no essential difference between the fundamental approaches of Plato and Aristotle, but Aristotle made a distinction that Plato had not. Aristotle, unlike Plato, drew a distinction between a good man and a good citizen, and this distinction would have a profound influence on later philosophy. According to Aristotle, our common nature as human beings generates a concept of the good man that applies to everyone, so Aristotle agreed with Plato that in an ideal state there would be no difference between the good man and the good citizen. But Aristotle goes on to say that in states as we actually find them, the civic virtues of a good citizen vary according to the nature of the state in question. The upshot of Aristotle’s argument is that one can be a good citizen while lacking some of the moral qualities of a good [person] man. Civic virtue covers a good deal of ground for Aristotle, but in his distinction between the good man and the good citizen there exists the potential argument that state education should be restricted to teaching the civic virtues essential to citizenship, thereby leaving a broad area of moral autonomy to the individual — a sphere in which the state should not intervene. Here we need to jump ahead to the thirteenth century and the writings of Thomas Aquinas, who was principally responsible for integrating many of Aristotle’s ideas into Christian political philosophy. Following Aristotle, Aquinas distinguished the good citizen from the good man; one can possess the virtues necessary for citizenship (e.g., one can abstain from theft) while being morally deficient in other respects. Although Aristotle was the source of this doctrine, Aquinas drew conclusions from it that Aristotle had not. According to Aquinas, the purpose of human laws is to “uphold the common good of justice and peace.” Coercive laws are necessary to regulate external behavior, but they cannot create virtuous [people] men, because (as he wrote in Summa Contra Gentiles) “the main thing in virtue is choice, which cannot be present without voluntariness to which violence is opposed.” In contrast to an earlier strain in Christian thought, according to which the repression and punishment of sin are fundamental purposes of government, Aquinas distinguished between two categories of vice, namely, those vices that violate the principles of justice and those personal vices that do not. As Aquinas wrote in his Summa Theologica: [H]uman law is framed for a number of human beings, the majority of whom are not perfect in virtue. Therefore human laws do not forbid all vices, from which the virtuous abstain, but only the more grievous vices, from which it is possible for the majority to abstain, and chiefly those that are to the hurt of others, without the prohibition of which human society could not be maintained; thus human law prohibits murder, theft and the like. I do not wish to suggest that Aquinas was a libertarian – far from it – but in contending that individuals have a moral “sphere of action which is distinct from that of the whole,” and in contending that actions in this sphere should be left to voluntary choice, even though vice might be the result (he went so far as to defend legalized prostitution), Aquinas established a conceptual framework that would later play a major role in the libertarian distinction between vices and crimes. For Aquinas, as one commentator has noted, human laws “did not make men good but rather established the outward conditions in which a good life can be lived.” This was a significant departure from the teachings of Plato and Aristotle, neither of whom left room for a sphere of personal autonomy that should be exempt from the power of the state.

### contention stuff

#### Constitution🡪civic virtues

Milikh 16 [ARTHUR MILIKH, associate director of the B. Kenneth Simon Center for Principles and Politics at the Heritage Foundation, 12/15/2016, “Rethinking the Bill of Rights”, National Review, <http://www.nationalreview.com/article/443061/free-speech-press-virtue-aim>] AG

The Founders’ understanding of free speech and press presumes, encourages, and develops certain virtues necessary for political freedom: namely, the ability to reason independently and, in turn, to speak and defend oneself rationally. Man’s pride is therefore connected to his reason rather than to other authorities. This culminates in a certain human type, a new image of reverence, one of self-possessed manliness. Just think of the writers of the Federalist. This is contrary to, for example, barbaric manliness, which is prepared to tear others to shreds over disagreement of opinions and hurt pride. The community this ideal creates is one where human beings share their rational facilities in common, as opposed sharing only ethnicity, tribe, religion, or ideological partisanship. One respects others as rational and equal beings. Yet this means that only certain kinds of speech are respectable. As Joseph Story writes in his Commentaries on the Constitution of the United States: “That this amendment was intended to secure to every citizen an absolute right to speak, or write, or print, whatever he might please, without any responsibility, public or private, therefor, is a supposition too wild to be indulged by any rational man.” Freedom of speech and press have limits in part because, as Story later says, man’s speech may sometimes be directed by the “wantonness of his passions, or the corruption of his heart.” For various traceable reasons, however, speech in America has come to mean the expression of unreasoned inner feeling — no matter how raw or thoughtless — which has resulted in the closing off of rational speech. The effects of this change are seen especially on university campuses throughout America. There, the new standard terminates in an odd combination of tyranny and cowardice — one no longer claims to convince the mind but to force its assent without need for self-justification. This speech petulantly demands to be honored, rather than earning respect by its intrinsic force and reasonableness. We have in part arrived at this state because of our deficient understanding of the law’s effects on the human character. This stems from an error which holds that law protects any kind of non-rational volition. The burning of the American flag, pornography, and various forms of vulgarity antagonistic to republican habits of character are justifiable. Over time, praise is even attached to them and shamelessness is called courage. Contrary to Franklin and Story, this alteration in the meaning of speech presumed that decency in citizens is unassailable: All will remain gentlemanly and, if not, then decency is durable enough to endure of its own accord. Yet this may be contrary to the origins of decency. Law encourages and at times even compels decency. The Founders’ understanding of speech tacitly acknowledges the power of ignorance, vanity, and other passions over the mind. The law can sometimes correct these tendencies — if not outright, then by showing honorable examples. In this view, the law maintains and upholds decency rather than merely relying upon it without bolstering it. But by misunderstanding its own aim, the law undermines its power. Those who deny the effects of obscenity, for example, like to flatter themselves that their own civility is a self-conscious act of will for which they congratulate themselves. They do not see that it is caused by the forces that have civilized them, forces that in fact have a relatively weak hold and can be subverted in time. Besides these effects on the character, this new interpretation of speech often puts the law into disrepute. Can citizens revere or believe to be sacred a law if it leads to unjustified insolence and foolishness? On this question, Tocqueville observes: One does not depend on laws to reanimate beliefs that are extinguished; but one does depend on laws to interest men in the destiny of their country. One depends on laws to awaken and direct that vague instinct of the native country that never abandons the heart of man, and in binding it to daily thoughts, passions, and habits, to make of it a reflective and lasting sentiment. If the laws are not lovable because they are unintelligent, they not only lose their respectability and power, but one’s nation begins to appear contemptible — at least to many decent and serious citizens, on whom its existence to a great degree depends.